

1 (Counsel listed on next page)
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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

ESTEVAN RIVERA, individually and on
behalf of a class of similarly situated
individuals,

Plaintiff,

vs.

SODEXO, INC., a Delaware Corporation,
SDH EDUCATION WEST LLC, a
Delaware LLC, and DOES 1 - 100,
inclusive,

Defendants.

No. 2:18-cv-10086-RGK (JPRx)

**JOINT STIPULATION FOR ENTRY
OF FINAL JUDGMENT**

Courtroom: 850
Judge: Hon. R. Gary Klausner
Trial date: December 17, 2019
Comp. filed: October 4, 2018

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2 THEODORE R. TANG (Cal. State Bar No. 313294)
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8 Attorneys for Plaintiff
9 Estevan Rivera

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16 Attorneys for Defendants
17 Sodexo, Inc., and SDH Education West, LLC

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1 Plaintiff Estevan Rivera and defendants Sodexo, Inc., and SDH Education West,
2 LLC (collectively, “Sodexo”), acting through their counsel of record, stipulate and
3 respectfully request of the Court as follows:

4 1. This putative wage-and-hour class action was brought on October 4, 2018.

5 2. On February 28, 2019, plaintiff moved for class certification. (ECF 19.) On
6 March 7, 2019, the Court set the hearing on the motion for class certification for April 8,
7 2019. (ECF 24.) On March 18, 2019, Sodexo filed its opposition to plaintiff’s motion
8 for class certification. (ECF 25.) On March 25, 2019, plaintiff filed a reply in support of
9 his motion for class certification. (ECF 26.)

10 3. On March 26, 2019, defendants extended to plaintiff an offer of judgment
11 under Rule 68, Federal Rules of Civil Procedure. On April 3, 2019, plaintiff accepted the
12 Rule 68 offer, and the parties filed with the Court copies of both the Rule 68 offer and
13 acceptance. (ECF 32, 33.) Pursuant to the Rule 68 offer, the issues of attorneys’ fees and
14 costs remained to be decided.

15 4. On April 4, 2019, the parties filed with the Court a joint stipulation,
16 requesting, in part, that, in light of plaintiff’s acceptance of the Rule 68 offer, his motion
17 for class certification be deemed moot. (ECF 34.) The following day, the Court ordered
18 that plaintiff’s motion for class certification was moot. (ECF 35.)

19 5. On April 8, 2019, during the scheduling conference in this matter, the Court
20 ordered that, by May 6, 2019, either (i) the parties file with the Court a stipulation for the
21 entry of final judgment, including an award to plaintiff of attorneys’ fees and costs
22 pursuant to the accepted Rule 68 offer, or (ii) plaintiff files with the Court a motion for
23 entry of final judgment, including an award to plaintiff of attorneys’ fees and costs
24 pursuant to the accepted Rule 68 offer. (ECF 37.)

25 6. The parties conferred about attorneys’ fees and costs and agreed that
26 plaintiff should receive \$25,000 in attorneys’ fees and costs.

27 7. Accordingly, the parties stipulate and respectfully request that the Court
28 enter final judgment in this matter pursuant to the accepted Rule 68 offer, including an

1 award to plaintiff of \$25,000 in attorneys' fees and costs, and dismiss this action with
2 prejudice, in the form appearing as Exhibit A to this joint stipulation.

3 Pursuant to L.R. 5-4.3.4(a)(2)(i), I, Jeffrey D. Wohl, attest that all other signatories
4 listed concur in this filing's content and have authorized the filing.

5 Dated: April 15, 2019.

ERIC S. MINTZ
THEODORE R. TANG
EMANUEL STARR
FRONTIER LAW CENTER, APC

8 By: /s/ Emmanuel Starr

9 Emmanuel Starr
10 Attorneys for Plaintiff Estevan Rivera

11 Dated: April 15, 2019.

12 JEFFREY D. WOHL
PAUL A. HOLTON
13 PAUL HASTINGS LLP

14 By: /s/ Jeffrey D. Wohl

15 Jeffrey D. Wohl
16 Attorneys for Defendants Sodexo, Inc.,
and SDH Education West, LLC

EXHIBIT A

1 *(Counsel listed on next page)*
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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

11 ESTEVAN RIVERA, individually and on
12 behalf of a class of similarly situated
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Plaintiff,

vs.

15 SODEXO, INC., a Delaware Corporation,
16 SDH EDUCATION WEST LLC, a
17 Delaware LLC, and DOES 1 - 100,
inclusive,

Defendants.

18
19 No. 2:18-cv-10086-RGK (JPRx)
No. 2:18-cv-10086-RGK (JPRx)

[PROPOSED] FINAL JUDGMENT

Courtroom: 850
Judge: Hon. R. Gary Klausner
Trial date: None
Complaint filed: October 4, 2018

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16 Attorneys for Defendants
17 Sodexo, Inc., and SDH Education West, LLC

1 On the stipulation of plaintiff Estevan Rivera and defendants Sodexo, Inc., and
2 SDH Education West, LLC, and good cause appearing therefor,

3 IT IS ORDERED, ADJUDICATED AND DECREED that, in accordance with the
4 terms of the accepted offer made by defendants to plaintiff under Rule 68, Federal Rules
5 of Civil Procedure (ECF 32, 33), judgment be granted in favor of plaintiff and against
6 defendants as follows:

7 Defendants to pay to plaintiff \$3,000, less any applicable payroll tax deductions
8 and withholdings, plus \$25,000 in attorneys' fees and costs.

9 The action is dismissed with prejudice, each side to bear its own costs and
10 attorneys' fees except as provided above.

11 Dated: April ___, 2019.

12 _____
13 R. Gary Klausner
United States District Judge

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